

State of Texas     §  
                                 § Deed Restrictions Affidavit and acknowledgement for Building Permit  
County of Harris   §

I am eighteen years of age or older, of sound mind and capable of making this affidavit. I have personal knowledge of the facts set forth in the affidavit including but not limited to, **personal knowledge of:**

- ◆ the title to the real property to which the building permit application pertains;
- ◆ all deed restrictions which apply to the property;
- ◆ the plans and specifications for the work to be performed under the building permit, if issued; and
- ◆ the intended use of the improvements to be constructed thereunder.

I understand that the term "deed restrictions" used in this affidavit, means any and every restriction or covenant running with and affecting the use and enjoyment of the land that is contained in or incorporated by reference in a properly recorded plan, plat, replat, deed or any other instrument affecting a subdivision or portion thereof inside its boundaries that relates in any manner to the property to which this building permit application pertains.

**A) Initial (1) or (2) as applicable and if agent, attach agency authorization documents:**

1. \_\_\_ I am the owner of the real property to which this building permit application pertains, or one of the owners of said property authorized to make this affidavit.
2. \_\_\_ I am the designated agent of the owner or owners of the real property to which this building permit application pertains, and I have been authorized by the owner or owners to make this affidavit on their behalf.

**B) Initial (1) or (2) as applicable:**

1. \_\_\_ I affirm that this property **does not** have deed restrictions (the land is unrestricted) .
2. \_\_\_ I affirm that this property has deed restrictions; however, the improvements for which I am requesting a building permit will **not** violate any of the following provisions of the deed restrictions:
  - ◆ Authorized use of property
  - ◆ Front setback
  - ◆ Minimum/maximum lot size
  - ◆ No authorization for garage apartment
  - ◆ Side/interior setback
  - ◆ Minimum/maximum building size
  - ◆ Rear setback
  - ◆ Number or type of structures on lot
  - ◆ Side street setback
  - ◆ Height of structure on lot

I am aware and understand that a person commits an offense of perjury (Class A Misdemeanor – punishable by a fine of up to \$4,000 or confinement in jail for up to one year, or both) under Section 37.02 of the Texas Penal Code if, with intent to deceive and with knowledge of the statement's meaning, he/she makes a false statement under oath and the statement is required by law to be made under oath. I am also aware that the City of Houston is authorized to enforce deed restrictions pursuant to state law and that this affidavit is required by law, pursuant to Chapter 10 of the Code of Ordinances of the City of Houston. I have read the above affidavit, and all statements therein are true and correct.

I understand, acknowledge and agree that (1) if any statement made herein is false or misleading, then any permit issued hereunder shall be void with the same force and effect as if it had never been issued, and (2) I may be required by the City Building Official to remove any improvements erected pursuant to the void permit at my sole cost and expense.

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
APPLICANT PRINTED NAME

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
TEXAS DRIVERS LICENSE OR I.D. NUMBER

Sworn to and subscribed before me, the undersigned authority on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_ To certify which witness my hand and seal of office.

\_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

\_\_\_\_\_  
MY COMMISSION EXPIRES